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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA (San Francisco)**

In Re:

**PROS RIVERA,
Debtor,**

Civil Number: CV 07-04333PJH

**CHERIE IVEY,
Plaintiff,**

**Bankruptcy No.: 05-32090 TEC
Adversary Proceeding No. 05-3441**

vs.

**PROS RIVERA,
Defendant.**

**DECLARATION OF ATTORNEY FOR
THE APPELLANT IN SUPPORT OF
“EMERGENCY” APPLICATION AND
MOTION FOR AN ORDER GRANTING A
ONE (1) WEEK EXTENSION TO FILE
THE APPELLANT’S OPENING BRIEF
DUE TO ILLNESS OF THE ATTORNEY
FOR APPELLANT**

I Willie E. Phillips, Attorney for the Appellant, declare as follows:

1. I am an Attorney licensed to practice law in all California Courts and in this Federal Court. I am the Attorney representing the Plaintiff/Appellant in this proceeding. The Appellant’s Opening Brief is due on November 13, 2007 (Today). I am requesting that this Court Extend my time to file the Appellant’s Opening Brief for one (1) week until November 20, 2007 due to my illness.

2. I am not a person who does not become ill very often. But, on Friday evening (November 9, 2007), I became very ill with a cold or flu. I had chills, sweats, and chest congestion. I am taking over-the-counter drugs and was bedridden the entire weekend. I could only sleep and drink liquids. I was unable to complete the work on the Appellant’s Opening Brief due to the illness.

